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Attorneys for Debtor  
SOUTHERN INYO HEALTHCARE DISTRICT

UNITED STATES BANKRUPTCY COURT

EASTERN DISTRICT OF CALIFORNIA

FRESNO DIVISION

In re  
SOUTHERN INYO HEALTHCARE  
DISTRICT,  
  
Debtor.

Case No.: 2016-10015

Chapter 9

Doc. No.: BH-20

**APPLICATION FOR ORDER SETTING  
HEARING ON SHORTENED NOTICE  
RE EMERGENCY MOTION TO  
CONTINUE HEARING ON THE  
STATUS CONFERENCE AND THE  
ASSOCIATED FILING DEADLINES**

Proposed Hearing:

Date: November 1, 2017

Time: 1:30 p.m.

Place: Dept. A, Ctrm. 11  
U.S. Bankruptcy Court  
2500 Tulare Street  
Fresno, CA 93721

**TO THE HONORABLE FREDRICK E. CLEMENT, UNITED STATES BANKRUPTCY  
JUDGE:**

SOUTHERN INYO HEALTHCARE DISTRICT (the “District” or “Debtor”), the debtor  
in the above-captioned bankruptcy case (the “Bankruptcy Case”), hereby respectfully submits the  
within application (the “Application”) to set on shortened notice a hearing on the *Emergency*

1 *Motion to Continue Hearing on the Status Conference and the Associated Deadlines* (the  
2 *“Emergency Motion”*).<sup>1</sup>

3 **I. REQUEST FOR RELIEF**

4 Pursuant to Bankr. Local R. 9014-1(f)(3), the District hereby seeks authority to set the  
5 Emergency Motion for hearing on shortened notice. The District requests that the Court set the  
6 Emergency Motion for hearing at the same time as the current status conference on November 8,  
7 2017, at 11:00 a.m.

8 The District respectfully submits that cause exists to set the Emergency Motion for  
9 hearing on shortened notice. On or about October 18, 2017, Marshall B. Grossman of Orrick  
10 (*“Orrick”*) sent a correspondence to Baker, on behalf of Healthcare Conglomerates Associates,  
11 LLC (*“HCCA”*), advising Baker of a potential conflict of interest that HCCA believes to have  
12 arisen as a result of the filing of the Termination Motion due to Baker’s prior representation of  
13 HCCA in the Bankruptcy Case. Baker does not believe that there is any actual or potential  
14 conflict of interest, particularly given the nature and scope of the conflict waivers executed by  
15 both HCCA and the District, but in an abundance of caution, and in order to ensure that the  
16 interests of the District are protected to the fullest extent, Baker believes that the continuance  
17 requested in the Emergency Motion will enable the District and HCCA to reach a voluntary  
18 agreement regarding rejection and/or termination or enable the district to retain special counsel to  
19 prosecute the issues arising from and relating to the Termination Motion.

20 ///

21 ///

28 \_\_\_\_\_  
<sup>1</sup> Capitalized not defined herein have the same meaning given to them as in the underlying Emergency Motion.

Based on the foregoing and for all the reasons set forth in the Emergency Motion, which is being filed concurrently herewith and which is expressly incorporated herein by reference, the District respectfully requests that the Court enter an order approving the Application and setting the Emergency Motion for hearing on November 8, 2017, at 11:00 a.m.

Dated: October 25, 2017

Respectfully submitted,

**BAKER & HOSTETLER LLP**

By: /s/ Ashley M. McDow  
Ashley M. McDow

Attorneys for Debtor  
SOUTHERN INYO HEALTHCARE DISTRICT

**PROOF OF SERVICE**

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. I am an employee of Baker Hostetler LLP. My business address is: **Baker & Hostetler LLP, 11601 Wilshire Blvd., Ste. 1400, Los Angeles, CA 90025-0509**

On or about October 25, 2017, I served a true and correct copy of the foregoing documents entitled:

**APPLICATION FOR ORDER SETTING HEARING ON SHORTENED NOTICE RE EMERGENCY MOTION TO CONTINUE HEARING ON THE STATUS CONFERENCE AND THE ASSOCIATED FILING DEADLINES**

will be served or was served and in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):**

Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On or about, October 18, 2017, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Office of the U.S. Trustee  
[ustpreion17.fr.ecf@usdoj.gov](mailto:ustpreion17.fr.ecf@usdoj.gov)

Gerald N. Sims on behalf of Creditor BETA Risk Management Authority  
[jerrys@psdslaw.com](mailto:jerrys@psdslaw.com); [bonniec@psdslaw.com](mailto:bonniec@psdslaw.com)

Kenneth J. MacArthur on behalf of Creditor EverBank Commercial Finance, Inc.  
[kjm@troygould.com](mailto:kjm@troygould.com)

Lisa M. Peters on behalf of Creditor GE HFS, LLC  
[lisa.peters@kutakrock.com](mailto:lisa.peters@kutakrock.com); [marybeth.brukner@kutakrock.com](mailto:marybeth.brukner@kutakrock.com)

Trevor R. Pincock on behalf of Creditor Healthcare Resource Group  
[tpincock@lukins.com](mailto:tpincock@lukins.com); [stracht@lukins.com](mailto:stracht@lukins.com); [stracht@lukins.com](mailto:stracht@lukins.com)

Daniel G. Sheldon on behalf of Creditor J.M.H., II, a minor, by and through his guardian ad litem, Mayra Huerta  
[dsheldon@ssnlaw.com](mailto:dsheldon@ssnlaw.com); [kterrazone@ssnlaw.com](mailto:kterrazone@ssnlaw.com); [ncastro@ssnlaw.com](mailto:ncastro@ssnlaw.com)

Peter E. Tracy on behalf of Creditor Milton R. Jones, M.D.  
[inyomono@stanfordalumni.org](mailto:inyomono@stanfordalumni.org); [mdecoster3@gmail.com](mailto:mdecoster3@gmail.com)

Paul J. Pascuzzi on behalf of Creditor Optum Bank, Inc.  
[ppascuzzi@ffwplaw.com](mailto:ppascuzzi@ffwplaw.com); [lnlasley@ffwplaw.com](mailto:lnlasley@ffwplaw.com); [kwidder@ffwplaw.com](mailto:kwidder@ffwplaw.com)

Russell W. Reynolds on behalf of Creditor Southern Mono Healthcare District  
[rwrlaw4335@aol.com](mailto:rwrlaw4335@aol.com); [rreynolds@ch-law.com](mailto:rreynolds@ch-law.com); [sjohnson@ch-law.com](mailto:sjohnson@ch-law.com)

Riley C. Walter on behalf of Interested Party Tulare Local Healthcare District  
[ECF@w2blaw.com](mailto:ECF@w2blaw.com)

Riley C. Walter on behalf of Interested Party Tulare Local Healthcare District  
[ECF@w2blaw.com](mailto:ECF@w2blaw.com)

Robin S. Tubesing on behalf of U.S. Trustee Tracy Hope Davis  
[robin.tubesing@usdoj.gov](mailto:robin.tubesing@usdoj.gov); [ustpreion17.fr.ecf@ust.doj.gov](mailto:ustpreion17.fr.ecf@ust.doj.gov)

1 **2. SERVED BY UNITED STATES MAIL:** On October 25, 2017, I caused to be served the  
 2 following persons and/or entities at the last known addresses in this bankruptcy case or adversary  
 3 proceeding by placing a true and correct copy thereof in a sealed envelope in the United States  
 4 mail, first class, postage prepaid, and addressed as follows. Listing the judge and/or other parties  
 5 named constitutes a declaration that mailing to the judge will be completed no later than 24 hours  
 6 after the document is filed.

7 **3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE**  
 8 **TRANSMISSION, PHONE OR EMAIL** (state method for each person or entity served):

9 Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on October 25, 2017, I caused to be served the  
 10 following persons and/or entities by personal delivery, overnight mail service, or (for those who  
 11 consented in writing to such service method), by facsimile transmission and/or email as follows.  
 12 Listing the judge and/or other parties constitutes a declaration that personal delivery on, or  
 13 overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

14 Honorable Fredrick E. Clement  
 15 United States Bankruptcy Judge  
 16 510 19<sup>th</sup> Street  
 17 Second Floor  
 18 Bakersfield, California 93301

19 Honorable Fredrick E. Clement  
 20 United States Bankruptcy Judge  
 21 2500 Tulare Street  
 22 5<sup>th</sup> Floor, Courtroom 11  
 23 Fresno, CA 93721

24 Healthcare Conglomerates Associates, LLC  
 25 c/o Paracorp Incorporated  
 26 10940 Wilshire Blvd., Ste. 1600  
 27 Los Angeles, CA 90024

28 Healthcare Conglomerates Associates, LLC  
 c/o Marshall Grossman  
 777 South Figueroa Street  
 Suite 3200  
 Los Angeles, CA 90017-5855

Healthcare Conglomerates Associates, LLC  
 c/o Marshall Grossman  
 631 Wilshire Boulevard  
 Suite 210  
 Santa Monica, CA 90401

I declare that I am employed in the office of a member of the bar of this court at whose  
 direction the service was made.

I declare under penalty of perjury under the laws of the United States that the foregoing is  
 true and correct.

October 25, 2017

*Date*

Karla Hernandez

*Printed Name*

/s/ Karla Hernandez

*Signature*